

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DENNIS W. VAN DE MARK, SR.,)

Plaintiff,)

vs.)

CITY OF LINCOLN, NEBRASKA,)

Defendant.)

4:05cv3166

MEMORANDUM AND ORDER

This matter is before the court pursuant to Fed. R. Civ. P. 4(m) which establishes a time limit for service of process on a defendant in a civil case. The court notified the plaintiff of the deadline for service of process on the defendant in the court's Order on Initial Review. Because the plaintiff is proceeding in forma pauperis, the Clerk of Court provided forms for service of process to the plaintiff to complete and return to the court so that the U.S. Marshal could serve the defendant. The plaintiff did not return the forms for service of process, and the deadline expired. In addition, it appears to the court that this case has been abandoned, as mail from the court to the plaintiff has been returned, with no known forwarding address for the plaintiff. A plaintiff has an obligation to keep the court informed of his or her current address at all times while the plaintiff's case is pending.

Therefore, pursuant to Fed. R. Civ. P. 4(m), the plaintiff's complaint and the above-entitled action are dismissed without prejudice. A separate judgment will be entered accordingly.

SO ORDERED.

March 17, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge